

Public Law 94-532
94th Congress

An Act

To study and provide enhanced protection for whales, and for other purposes.

Oct. 17, 1976
[H.R. 15445]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Whale Conservation and Protection Study Act".

Whale
Conservation and
Protection Study
Act.
16 USC 917 note.

FINDINGS

SEC. 2. The Congress finds that—

- (1) whales are a unique resource of great aesthetic and scientific interest to mankind and are a vital part of the marine ecosystem;
- (2) whales have been overexploited by man for many years, severely reducing several species and endangering others;
- (3) the United States has extended its authority and responsibility to conserve and protect all marine mammals, including whales, out to a two hundred nautical mile limit by enactment of the Fishery Conservation and Management Act of 1976 (Public Law 94-265);
- (4) the conservation and protection of certain species of whales, including the California gray, bowhead, sperm, and killer whale, are of particular interest to citizens of the United States;
- (5) increased ocean activity of all types may threaten the whale stocks found within the two hundred-mile jurisdiction of the United States and added protection of such stocks may be necessary;
- (6) there is inadequate knowledge of the ecology, habitat requirements, and population levels and dynamics of all whales found in waters subject to the jurisdiction of the United States; and
- (7) further study of such matters is required in order for the United States to carry out its responsibilities for the conservation and protection of marine mammals.

16 USC 917.

Ante, p. 331.
16 USC 1801
note.

STUDY BY THE SECRETARY OF COMMERCE

SEC. 3. The Secretary of Commerce, in consultation with the Marine Mammal Commission and the coastal States, shall undertake comprehensive studies of all whales found in waters subject to the jurisdiction of the United States, including the fishery conservation zone as defined in section (3)(8) of the Fishery Conservation and Management Act (16 U.S.C. 1802(8)). Such studies shall take into consideration all relevant factors regarding (1) the conservation and protection of all such whales, (2) the distribution, migration patterns, and population dynamics of these mammals, and (3) the effects on all such whales of habitat destruction, disease, pesticides and other chemicals, disruption of migration patterns, and food shortages for the purpose of developing adequate and effective measures, including appropriate laws and regulations, to conserve and protect such mammals. The Secretary of Commerce shall report on such studies, together with such recommendations as he deems appropriate, including suggested legislation, to the Congress no later than January 1, 1980.

16 USC 917a.

Report to
Congress.

COOPERATION OF OTHER FEDERAL AGENCIES

- 16 USC 917b. **SEC. 4.** All Federal agencies shall cooperate, to the fullest extent possible, with the Secretary of Commerce in preparing the study and recommendations required by section 3.

INTERNATIONAL NEGOTIATIONS

- 16 USC 917c. **SEC. 5.** The Secretary of Commerce, through the Secretary of State, shall immediately initiate negotiations for the purpose of developing appropriate bilateral agreements with Mexico and Canada for the protection and conservation of whales.

AUTHORIZATION OF APPROPRIATIONS

- 16 USC 917d. **SEC. 6.** For the purpose of carrying out the provisions of this Act, there is hereby authorized to be appropriated a sum not to exceed \$1,000,000 for fiscal years 1978 and 1979.

Approved October 17, 1976.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 94-1574 (Comm. on Merchant Marine and Fisheries).

CONGRESSIONAL RECORD, Vol. 122 (1976):

Sept. 20, considered and passed House.

Sept. 28, considered and passed Senate, amended.

Oct. 1, House concurred in Senate amendments.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 12, No. 43:

Oct. 18, Presidential statement.